IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 23RD FEBRUARY 2007 / 4TH PHALGUNA 1928

Bail Appl..No. 1069 of 2007()

CC.776/2005 of C.J.M.,KASARAGOD

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: PETITIONER/ACCUSED:

ABDUL JABHAR, AGED 45 YEARS,
S/O. AHAMMED KUTTY, BYARY, NR.B.G.B. COMPOUND,
THENKULI PADY VILLAGE AND POST, KINI KDOMBLA,
MANGALORE, D.K.

BY ADV. SRI.T.B.SHAJIMON

RESPONDENT: COMPLAINANT:

STATE OF KERALA,
REP. BY THE SUB INSPECTOR OF POLICE,
MANJESHWAR POLICE STATION, REP. BY THE
PUBLIC PROSECUTOR, ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 23/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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BAIL APPLICATION NO. 1069 OF 2007

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DATED THIS THE 23rd DAY OF FEBRUARY, 2007

O R D E R

Petitioner who is the 3rd accused in Crime No.215/99 of Manjeshwar Police Station for an offence punishable under section 441 read with section 34 IPC, seeks anticipatory bail.

2. Consequent on the non-appearance of the petitioner in C.C.No.776/05 before the Chief Judicial Magistrate Court, Kasargod, non-bailable warrants of arrest are pending against the petitioner. Anticipatory bail cannot be granted to nullify the process issued by a court of competent jurisdiction. There is no reason why the petitioner should not surrender before the C.J.M. and seek regular bail. Accordingly, if the petitioner surrenders before the C.J.M., Kasargod and files an application for regular bail, within two weeks from today, the same shall be considered and disposed of, preferably on the same date on which it is filed.

This application is disposed of as above.

V.RAMKUMAR, JUDGE

dsn